

1 COLETTE VOGELE (SBN No. 192865)
2 Email: colette@vogelegal.com
3 BENJAMIN COSTA (SBN No. 245953)
4 Email: ben@vogelegal.com
VOGELE & ASSOCIATES
5 580 California Street, Suite 1600
San Francisco, CA 94104
Tel: (415) 751-5737
Fax: (415) 358-4975
Attorneys for Plaintiff
VIOLET BLUE

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 VIOLET BLUE, an Individual,

12 Plaintiff,

13 v.

14 ADA MAE JOHNSON a/k/a ADA
WOFFINDEN, an individual d/b/a
15 VIOLET BLUE a/k/a VIOLET a/k/a
VIOLET LUSTR; VIOLET BLUE, INC., a
16 California Corporation; and DOES 1-10,

17 Defendants.

Case No. C 07-5370 SI

**DECLARATION OF DARREN
MCKEEEMAN IN SUPPORT OF PLAINTIFF
BLUE'S MOTION FOR PRELIMINARY
INJUNCTION**

Hon. Judge Illston
Courtroom 10, 19th Floor
450 Golden Gate Avenue
San Francisco, CA 94102

Hearing Date: May 9, 2008
Hearing Time: 9:00 a.m.

28 Case No. C 07-5370 SI

1 I, Darren McKeeman, declare as follows:

2 1. My name is Darren McKeeman. I am a third party to this litigation. I have
3 personal knowledge of the facts in this declaration unless otherwise stated, and could and would
4 competently testify to them if called as a witness.

5 2. I currently run a website called tribe.net, which is a social networking site. I am
6 the Information Technology (“IT”) manager for tribe.net and I have held this position since
7 March of 2007.

8 3. I owned and ran a site called Gothic.net from 1997 to approximately 2002.
9 Gothic.net was one of the first web magazines (or “webzine”). It focused on the gothic or morbid
10 lifestyle and published horror fiction among other things. At its inception, the webzine was
11 published once a month, and later we published it once a week. Thomas Roche was a regular
12 columnist and, for a period of time, the non-fiction editor for a Gothic.net.

13 4. I recall the site statistics for Gothic.net in the mid-1999 were that roughly 20,000
14 people were “subscribed” through our email distribution list. Subscribers would receive an email
15 with a link to the webzine whenever we published something to the front page of the website. I
16 recall that our site statistics around that time also showed that Gothic.net received about 5,000
17 additional unique visitors each day.

18 5. Around the early part of 1999, I recall that Violet Blue pitched a story to Thomas
19 Roche having to do with lesbian vampire films. Mr. Roche informed me of the pitch and that he
20 had accepted the story for publication. As the site owner, I was involved in publishing the article
21 and also paid Ms. Blue for her work. The article was published in May of 1999.

22 6. After Gothic.net published Ms. Blue’s article on the lesbian vampire films, I was
23 so impressed by the article and the quality of her writing generally that I asked her to be the first
24 (and only) editor of a new site I launched in April 2000 called Necromantic.com.
25 Necromantic.com was a webzine of erotica (erotic fiction). In addition to textual articles, it
26 included artful nude photograph and some videos. We published at least one story a week, and

1 Ms. Blue helped select and edit those stories. She would also write editorials, which were
2 published at the site under her name, Violet Blue.

3 7. Before hiring Ms. Blue for Necromantic.com, I was well aware of her other
4 writings. I would occasionally come across things she had written at various websites, for
5 example at the Good Vibrations Magazine – www.goodvibes.com.

6 I declare under penalty of perjury under the laws of the State of California that the
7 foregoing is true and correct. Executed this 25th day of April, 2008, at San Francisco, California.
8

9 /S/
10 _____
11 Darren McKeeman
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1 **CERTIFICATION PURSUANT TO GENERAL ORDER 45**

2 Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under
3 penalty of perjury that concurrence in the filing of this document has been obtained from Darren
4 McKeenan.

5 Dated: April 25, 2008

6 VOGELE & ASSOCIATES

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8 By: _____ /S/

9 Colette Vogele
10 Attorneys for Plaintiff VIOLET BLUE

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